REMARKS

Amended Claims

Claims 1, 3, 6, 8, 15 and 17 are amended.

Claim Rejections Under 35 U.S.C. § 102

Claims 1-20 were rejected under 35 U.S.C. § 102(e) as being anticipated by Sato (U.S. Published Application No. 2003/0033395). Applicant respectfully traverses this rejection. Applicant reserves the right to swear behind the reference Sato, but submits that claims 1-20 are allowable for the following reasons.

Applicant respectfully maintains that Sato discloses a system where a centralized management facility resides on a peripheral device on the network, such as a printer, and where all the peripheral devices on the network negotiate to select who is designated as the centralized management facility. Applicant respectfully maintains that Sato does not teach or disclose a peripheral device that requests a device configuration to upgrade an internal configuration of the peripheral device from a second peripheral device across a network upon receiving an external upgrade command given by an external management facility, but a peripheral device based central management facility that can request and set the configuration of the other peripheral devices. Applicant therefore respectfully submits that Sato fails to teach or disclose an imaging device that requests a device configuration to upgrade an internal configuration of the imaging device from a second imaging device across a network upon receiving an external upgrade command given by an external management facility. As such, Sato fails to teach or disclose all elements of claims 1-20. *See*, Sato, Abstract; Figures 1-2; and Paragraphs 0029-0031.

Applicant's claim 1, as amended, recites, in part, "wherein the processing facility is adapted to request a device configuration to upgrade an internal configuration of the imaging device from a second imaging device through the network interface in response to receiving an external upgrade command given by an external management facility and a network location of the second imaging device." As detailed above, Applicant submits that Sato fails to teach or disclose such an imaging device that requests a device configuration from a second imaging device across a network in response to receiving an external upgrade command given by an external management facility. As such, Sato fails to teach or disclose all elements of independent claim 1.

Applicant's claim 6, as amended, recites, in part, "communicating with a first imaging device having a device configuration with an external management facility", and "directing the second imaging devices with the external management facility to update their device configuration using the device configuration of the first imaging device in a manner selected from the group consisting of: retrieving the device configuration from the first imaging device, storing the device configuration of the first imaging device in a storage location, and directing each of the second imaging devices to retrieve the device configuration of the first imaging device from the storage location; and directing each of the second imaging devices to retrieve the device configuration from the first imaging device." As detailed above, Applicant submits that Sato fails to teach or disclose such a computer-usable medium having computer-readable instructions stored thereon for execution by a processor to perform a method that requests a device configuration from a first imaging device by a second imaging device when directed by an external management facility across a network. As such, Sato fails to teach or disclose all elements of independent claim 6.

Applicant's claim 8, as amended, recites, in part, "defining a list of similar imaging devices connected to the network, wherein the similar imaging devices share a common configuration, firmware, software, or supplemental information; defining a network location associated with desired device configuration for the list of similar imaging devices; and directing each imaging device of the list of similar imaging devices with an external management facility to retrieve the device configuration from the network location." As detailed above, Applicant submits that Sato fails to teach or disclose such a method of updating device configuration for imaging devices connected to a network that requests a device configuration an external management facility from a network location across a network. As such, Sato fails to teach or disclose all elements of independent claim 8.

Applicant's claim 15, as amended, recites, in part, "receiving an external upgrade command from an external management facility and a network location associated with a desired device configuration for the imaging device." As detailed above, Applicant submits that Sato fails to teach or disclose such a method of upgrading an imaging device that requests a device configuration from a network location upon receiving an external upgrade command from an external management facility and a network location associated with a desired device configuration for the imaging device. As such, Sato fails to teach or disclose all elements of independent claim 15.

Applicant respectfully contends that claims 1, 6, 8 and 15 as pending have been shown to

be patentably distinct from the cited reference. As claims 2-5, 7, 9-14, and 16-20 depend from and further define claims 1, 6, 8 and 15, respectively, they are also considered to be in condition for allowance. Accordingly, Applicant respectfully requests reconsideration and withdrawal of the rejection under 35 U.S.C. § 102(e) and allowance of claims 1-20.

CONCLUSION

In view of the above remarks, Applicant believes that all pending claims are in condition for allowance and respectfully requests a Notice of Allowance be issued in this case.

If the Examiner has any questions or concerns regarding this application, please contact the undersigned at (612) 312-2207.

Respectfully submitted,

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